

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,
Plaintiff,

v.

AT&T SERVICES INC.; AT&T MOBILITY
LLC; and AT&T CORP.,
Defendants,

NOKIA OF AMERICA CORPORATION and
ERICSSON INC.,
Intervenors.

Case No. 2:23-cv-00202-JRG-RSP
(Lead Case)

JURY TRIAL DEMANDED

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,
Plaintiff,

v.

VERIZON COMMUNICATIONS, INC. AND
CELLCO PARTNERSHIP D/B/A VERIZON
WIRELESS,
Defendants,

NOKIA OF AMERICA CORPORATION and
ERICSSON INC.,
Intervenors.

Case No. 2:23-cv-00203-JRG-RSP
(Member Case)

JURY TRIAL DEMANDED

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,
Plaintiff,

v.

T-MOBILE USA, INC.,
Defendants,

NOKIA OF AMERICA CORPORATION and
ERICSSON INC.,
Intervenors.

Case No. 2:23-cv-00204-JRG-RSP
(Member Case)

JURY TRIAL DEMANDED

and

XR COMMUNICATIONS LLC dba
VIVATO TECHNOLOGIES,
Plaintiff,

vs.

VERIZON COMMUNICATIONS, INC.,
CELLCO PARTNERSHIP dba VERIZON
WIRELESS,
Defendants.

ERICSSON INC. and
NOKIA OF AMERICA CORPORATION,
Intervenors.

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,
Plaintiff,

v.

AT&T SERVICES INC.; AT&T MOBILITY
LLC; and AT&T CORP.,
Defendants,

NOKIA OF AMERICA CORPORATION and
ERICSSON INC.,
Intervenors.

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,
Plaintiff,

v.

T-MOBILE USA, INC.,
Defendants,

NOKIA OF AMERICA CORPORATION and
ERICSSON INC.,
Intervenors.

Civil Action No. 2:23-CV-00470-JRG
(Lead Case)

JURY TRIAL DEMANDED

Case No. 2:23-cv-00468-JRG-RSP
(Member Case)

JURY TRIAL DEMANDED

Case No. 2:23-cv-00469-JRG-RSP
(Member Case)

JURY TRIAL DEMANDED

ORDER GRANTING JOINT MOTION TO CONSOLIDATE CASES

Pending before the Court is the Joint Motion to Consolidate Cases filed by Plaintiff XR Communications, LLC dba Vivato Technologies (“Plaintiff”) and Defendants AT&T Corp., AT&T Mobility LLC, and AT&T Services, Inc. (AT&T), Verizon Communications, Inc. and Cellco Partnership d/b/a Verizon Wireless (“Verizon”), T-Mobile USA, Inc. (“T-Mobile”), and Intervenors Ericsson Inc. (“Ericsson”) and Nokia of America Corporation (“Nokia”) (collectively, “Defendants/Intervenors”). The Court, having considered the Joint Motion to Consolidate Cases, and for good cause shown, finds that the motion should be GRANTED.

IT IS HEREBY ORDERED that: (1) the above-captioned lead case (2:23-cv-00202) and associated member cases (2:23-cv-00203 and 2:23-cv-00204) are consolidated for pre-trial with the follow-on lead case (2:23-cv-00470), and associated member cases (2:23-cv-00468 and 2:23-cv-00469); (2) the two cases against Verizon (Civil Action Nos. 2:23-cv-00203-JRG-RSP and 2:23-CV-00470-JRG for Verizon) are consolidated for trial; (3) the two cases against T-Mobile (Civil Action Nos. 2:23-cv-00204-JRG-RSP and 2:23-CV-00469-JRG) are consolidated for trial; (4) the two cases against AT&T (Civil Action Nos. 2:23-cv-00202-JRG-RSP and 2:23-CV-00468-JRG) are consolidated for trial; (5) the Court will enter an Amended Docket Control Order applicable to the consolidated cases consistent with the schedule proposed in the Joint Motion to Consolidate; (6) (i) depositions of Plaintiff’s Rule 30(b)(6) witnesses, inventors, or prosecution counsel (including, without limitation, Mssrs. Chraplyvy, Hansen, Chaffee, Brennan, Eidson, and the various prosecution counsel deponents, including Mssrs. Haycox, Ambrose, Brooks, Schwedler, and Burke) will be collectively limited to 14 hours and questioning will not repeat issues addressed in earlier depositions, and (ii) the limits in the Discovery Order in XR1 will otherwise apply to the consolidated action.